



COMMENCED AUG. 8, 1837.

ST. JOHNSBURY, VERMONT, FRIDAY, JULY 24, 1896.

VOL. LIX--NO. 3078

## Business Cards.

**CHARLES L. BAILEY, M. D.**  
Homeopathic Physician and Surgeon.  
Office, Union Block, Danville, Vt.  
Office Hours, 12 to 1.30 p. m., 6 to 7 p. m.

**C. W. COFF, M. D.**  
Citizens Bank Block, St. Johnsbury, Vt.

**JAMES R. NELSON, M. D.**  
Special attention given to diseases of the eye, ear, nose and throat.  
No. 2 Main Street, St. Johnsbury, Vt.

**DR. HARRY C. BULLARD,**  
Physician and Surgeon.  
Office and Residence, 113 Eastern Avenue, Y. M. C. A. Block  
St. Johnsbury, Vermont

**E. H. ROSS, M. D.,**  
Physician and Surgeon.  
Office and residence, 84 Main Street.  
Telephone connection.

**C. A. CRAMTON, M. D.**  
Ear, Nose, Throat and Chest a specialty.  
Office 29 Main Street. Residence, 32 Mt. Pleasant Street.  
Telephone at office and residence.

**FRANK J. CALE, M. D.**  
Homeopathic Physician and Surgeon  
Office 105 Railroad Street.  
Office Hours until 9 a. m., 1 to 2, and 7 to 8 p. m.

**E. W. HITCHCOCK, M. D.**  
Physician and Surgeon.  
Office Hours until 9 a. m., 1 to 2 and 7 to 8 p. m.  
105 Railroad Street, St. Johnsbury, Vt.

**DR. G. F. CHENEY,**  
Dentist.  
St. Johnsbury.

**R. W. WARNER,**  
Surgeon Dentist.  
Citizens Bank Building, St. Johnsbury, Vt.  
Dr. C. H. Mason's Cancer Cure can be had at this office.

**DR. J. L. PERKINS,**  
Dentist.  
Corner Main Street and Eastern Avenue.

**FARNHAM & PORTER,**  
Attorneys-at-Law.  
Collections a specialty.  
Railroad Street, St. Johnsbury, Vt.

**HARLAND B. HOWE,**  
Lawyer.  
Citizens' Bank Block,  
St. Johnsbury, Vermont.

**WENDELL P. STAFFORD,**  
Attorney at Law,  
Bank Block, over Post Office, St. Johnsbury.

**BATES & MAY,**  
Attorneys at Law,  
59 Eastern Ave. St. Johnsbury.

**CEO. C. FELCH**  
Piano and Organ Tuning and Regulating.  
5 Cherry Street, St. Johnsbury, Vt.

**MARGARET E. CORHAM,**  
Teacher of Piano and Organ.  
24 Spring Street, St. Johnsbury, Vt.

**A. H. BROOKS,**  
Piano Tuning.  
87 Main Street, St. Johnsbury.

**ANNIE B. DANIELS,**  
Graduate Tuning Department New England Conservatory.  
Pianos and Organs tuned and repaired.  
21 Main Street, St. Johnsbury.

**PIANO AND ORGAN TUNING.**  
Special attention given to Repairing, Regulating and Voicing. Orders by mail or otherwise promptly attended to.  
H. H. EDDY,  
15 Church St., St. Johnsbury, Vt.

**LESSONS**  
IN OIL AND CHINA PAINTING.  
Decorating to order and decorated China for sale. China firing.  
MISS HELEN F. SHAW,  
13 Belvidere St., (South Park).

**MILLINERY AND FANCY GOODS.**  
E. C. PIERCE & CO.  
63 Main Street, St. Johnsbury, Vt.

**MISS N. M. HILL,**  
Dressmaking.  
17 1/2 Church Street, St. Johnsbury, Vt.

**SURVEYOR AND CIVIL ENGINEER.**  
J. M. PERHAM, C. E.  
St. Johnsbury, Vermont.

**C. C. BINCHAM,**  
Druggist and Pharmacist,  
5 Bank Block, Main St., St. Johnsbury.

**FIRE AND LIFE INSURANCE**  
In the best companies. Insurance placed at short notice.  
FRANCIS SWITZER,  
St. Johnsbury, Vt.

**MOORE & CO.,**  
Insurance Agents and Dealers in Coal.  
82 Eastern Ave., St. Johnsbury, Vt.

**LYMAN S. HOOKER**  
Solicits Machine Job Work. Light machinery and model work a specialty.  
MILL ST., ST. JOHNSBURY, VT.

**O. V. HOOKER & SON,**  
Mechanics.  
Piping and Steam Engine Repairing.  
Mt.'s Board Mills. Jobbing a Specialty.  
Mill Street, St. Johnsbury.

**C. F. CIBBS,**  
2 Pauldock Street, St. Johnsbury, Vt.  
Cut Flowers and Floral Designs  
For sale at all seasons of the year on short notice. For immediate attention order by telegraph, telephone or special delivery.

**UNION COLLECTION AGENCY,**  
T. Rickaby,  
No Collection, No Charge.  
St. Johnsbury, Vt.

**LAUGHLIN'S, BARNET, VT.**  
Watchmaking, Pharmacy, Optical Work, Drugs, Medicines, Watches, Silverware.

**MILES S. HOVEY,**  
Manufacturer of Water Tubs  
for stock, Draw Tubs and Holders for Sap, Scalding Tubs, etc.  
88 Portland St., St. Johnsbury, Vt.

**THE VERMONT MUTUAL FIRE INSURANCE CO.**  
The Best.  
W. C. LEWIS, Agent.  
St. Johnsbury, Vermont.

## NEW ADS. THIS WEEK.

Barnum's Circus.  
Merchants Bank Statement.  
First National Bank Statement.  
Lost—Bicycle Crank and Pedal.  
Bicycle Sundries—Geo. E. Grow.  
All New Shows—Sparks & Allen.  
Soda Water at Home—Bingham.  
Headache relieved—C. A. Simanton.  
Caledonia National Bank Statement.  
Like a Hot Potato—E. D. Steele & Co.  
For Sale, Fox Terrier Pups—E. C. Beck.  
Victory in Vermont—Vt. Farm Mach. Co.  
To Rent, Furnished House—G. W. Hallett.  
A Dollars and Cents Education—Barbour's.  
Gladly Paid Double Price—De Laval Sep. Co.

**WEATHER RECORD.**  
At Bingham's Drug Store, for the week ending July 22, 1896.

	Highest	Lowest
Thursday	65	51
Friday	72	59
Saturday	79	47
Sunday	77	54
Monday	68	66
Tuesday	83	67
Wednesday	85	63

## FRATERNITY MEETINGS.

**Knights of Pythias.**  
A regular meeting of Apollo Lodge No. 2, K. P., will be held Tuesday evening, July 28, 1896.  
W. W. HUSBAND, C. C.  
HENRY W. ELLIS, K. R. S.

**Knights of Honor, No. 918.**  
Meet second and fourth Tuesday in each month in G. A. R. Hall.  
N. M. JOHNSON, Dictator.

## LOCAL GATHERINGS.

—A coat of paint has greatly improved the looks of William Burke's block on Railroad street.

—Supt. Titcomb is working a large number of men at the Hatchery opening up a number of new springs.

—The last three days of next week Newton Beers and his excellent company appear at the Stanley Opera House.

—An enjoyable lawn party was held at the North church parsonage last evening which was well attended by the parishioners.

—The democratic county convention will be held in the town hall next Thursday at 11 o'clock. It will be a mass convention.

—The new supply wagon for the fire department, made by F. E. Richardson, was taken out for the first time and had its picture taken. It is a finely made wagon, and will be a valuable addition to the fire department.

—The presence of the street sprinkler has been conspicuous by its absence lately, just when we have needed it the most, and the clouds of dust all through the town have made it anything but agreeable either for business or pleasure purposes.

—The Rt. Rev. Bishop of Burlington has decided to divide the Catholic parish into two districts. The division is made to enable the English-speaking people to have a parish of their own. A resident clergyman will be sent there, and the one selected is Rev. M. J. Carmody, now stationed at Bristol.

—Following is the list of advertised letters for the week ending July 18: Mrs. Katie Bernard, Miss Nellie Corskie, Miss Fannie Castle, Mrs. B. M. Felch, Miss Mertie McLaughlin, Mrs. Charles W. Nutter, Dr. C. M. Bean, Chas. F. Butterfield, Louis Citron, John Evans, Geo. Gunter, R. M. Horton, Harry Jenkins, W. H. Kelley, Burpee McDonald, J. R. Power, Noe Vachon.

—The bills are out announcing the excursion and basket picnic to Providence Island via Burlington and steamer Reinder, Wednesday, August 5th. This promises to be a most delightful trip. This excursion is gotten up at the request of Sabbath Schools and Young Peoples societies and at the very low price of \$2.70 for the round trip it will not doubt be well attended.

—The Burlington baseball team which has not lost a game this season and claims the championship of the state, will cross bats with the village team on the campus this afternoon at 2.30. The village team will be strengthened and an exciting game is anticipated. Quite a little expense is incurred in getting the Burlington team here and it is hoped that there will be a good crowd on the campus to witness the game.

**Band Concert.**—Here is the programme for the band concert which will be given tonight in the Railroad street park after the republican flag raising:

March—Ocellation.	Chambers
Overture—Mantini.	Wallace
Cornet Solo—Columbia.	J. W. Batchelder.
Waltz—Mardi Gras.	Rollinson
March—Mardi Gras.	Waldenfeld
Little Kinkies, Dance a la Pigeon Wing.	D. L. White
	M. Tobias

**Won a Game.**—The village ball team broke its list of defeats last Saturday afternoon. They played against the Barre Rushers, and the score was 11 to 7 in their favor. It was a quick game, and a number of fine plays were made. The prettiest one being a triple by the Barre boys. A hot liner to short was thrown out before they got back to their base. It was a pretty play and was well applauded. The umpire work of Brown was excellent, not a kick being made.

## PERSONALS.

Mrs. J. N. Gale and Mrs. J. W. Powers are at Old Orchard.

John Rickaby of Hartford, Conn., is visiting at his old home.

Mrs. Frederick E. Carpenter of Lancaster is visiting her old friends.

Miss Northrop of New York City is the guest of Mrs. Walter P. Smith.

Lyman P. Wood is enjoying his vacation by a trip to Boston and Portland.

S. R. Simpson of Worcester, Mass., is visiting this week at Lorenzo Salloway's.

Mrs. J. H. Hastings of Waitsfield is visiting her brother, Harvill Paddock.

Mrs. Davis and Miss Farrow from Eldora, Iowa, are visiting at J. N. Gale's.

Miss Anna Somerville has returned from a visit with relatives in North Derby.

George H. Hale, secretary of the Y. M. C. A. at Holyoke, Mass., is visiting at his old home.

Robert Page of Boston has been visiting relatives and friends in town the past two weeks.

Mr. and Mrs. H. N. Turner and son Rex have gone to Halifax, Nova Scotia, to attend the carnival.

Dr. W. J. Aldrich and wife left this morning for a week's vacation in their cottage at Lake Morey.

Albert Bach of Marshalltown, Iowa, with his family are visitors at the home of his father, John Bach.

Mrs. James T. Howard and Mrs. Fred C. Carpenter of Boston are visiting friends in town this week.

Miss Susie McDonald of Sherbrooke, P. Q., is visiting friends in town. She was formerly an Academy student.

C. W. Farr and family, Mr. and Mrs. J. C. Gray and Homer Lapher spent Sunday at Willoughby Lake.

Dr. L. W. Warner and family have gone to Lake Memphremagog where they will spend several weeks in their cottage.

Mrs. E. H. Ross and little son have returned from an extended visit with relatives at her former home, Wolfboro, N. H.

J. O. and Fred Drouin were in Lyster, P. Q., the first of the week to attend the funeral of their father who died last Saturday.

Henry Mailett, student of theology in Baltimore, Md., was in town this week, called here to attend the funeral of his daughter Mary.

Miss M. L. Shortleff, daughter of Hon. S. C. Shortleff of Montpelier, who has been the guest of Mrs. H. C. Bates, has returned to her home.

W. de C. Ravenel of Washington, chief of the division of fish culture and acting commissioner, has been here this week on a visit to the Hatchery.

John and Don Cameron, Don Stiles, Harry Lovejoy and James Cushman left Wednesday for a week or ten days' camping at Fairlee pond.

Fred A. Carter and W. W. McMillan, who are ruseating at Greensboro, caught 115 fine trout last Monday from the brooks around Greensboro.

Mr. and Mrs. Crane of Minneapolis are staying in town. Mrs. Crane will be remembered as Miss Fanny Stevens whose home was on Church street.

Elisha May is in Newport this week defending Col. Charles B. Childs, who claims damages from the village of Newport for taking his land for a reservoir.

William Chase of Loon Lake, N. Y., is visiting in town this week, being summoned here as a witness on the Way trial and he also takes the opportunity to visit a number of old acquaintances.

This office received a call yesterday from H. C. Fay, editor of "The National Eagle," Claremont, N. H. Mr. Fay says that politics in New Hampshire are very quiet, everybody being united for McKinley and sound money.

John Churchill and wife of Waltham, Mass., are spending a short time here with L. J. Eldridge and wife, and the four are this week taking a carriage drive, stopping at Joe's pond, Caspian and Willoughby lakes.

Dr. S. M. Hagopian is spending the week at the Willoughby Lake House. Dr. Hagopian will remain in this vicinity another month, having had most excellent results in raising money for the college and hospital at Aintab, Turkey.

Dr. C. P. Bancroft, superintendent of the Concord Insane asylum, who was called here this week on the Way case, is a son of the late J. P. Bancroft, one of the old residents of this town and one of our most prominent citizens a generation ago.

St. Johnsbury was represented at the midsummer meeting of the Passumpsic Congregational Club at Willoughby Lake by Rev. and Mrs. A. H. Heath and Miss Heath, Rev. Edward T. Fairbanks, Rev. C. H. Merrill, Mrs. Henry Lewin and Arthur F. Stone.

George Mailett's daughter, 15 years old, died in Canada Tuesday afternoon and was brought here for burial Wednesday night. She had been attending school there and was taken sick with scarlet fever last Friday. Mr. Mailett returned last Saturday from a two weeks' vacation in Canada, visiting his daughter while there.

Dr. C. D. Beedle, who has been in Dr. J. L. Perkins' office through the spring, leaves August 1 to accept a fine position in a dental office in Fitchburg, Mass.

Dr. Beedle will be much missed in musical circles, being leader of the St. Johnsbury band and a member of the North church choir.

Marshall F. Montgomery, formerly well-known in this town and as a student of the Academy, class of '89, has been in town for several weeks, the guest of J. D. Bates. Mr. Montgomery is now a senior in an Episcopal Divinity school at Fairbault, Minn., to which place he will soon return.

Dr. Mark L. Miner, a former St. Johnsbury boy, now located at Greenfield, Mass., proposes to instruct the farmers of this vicinity about the dangers of tuberculosis by dissecting a diseased animal so that the farmers can see the progress of the disease. Dr. Miner is state inspector and doing well as a veterinary surgeon.

**Principal Comstock.**—The principalship of the Academy has been happily filled by the election of David Y. Comstock of Boston and his acceptance of the position. Prof. Comstock is admirably fitted for succession in the line of principals who have given character to St. Johnsbury Academy, being an educator of experience and reputation, editor of well-known Latin text books, a man of culture, force and Christian worth. He is a Connecticut man by birth, received his education in Brooklyn, N. Y., and Amherst College, class of '73, with some years of study and travel in Europe. He was 17 years instructor in classics at Phillips Andover Academy, and subsequently associate master of the Hotchkiss, one of the leading fitting schools of Connecticut, whose rank is well-known at Yale and other colleges.

Though not an applicant for the position, Principal Comstock is the only man whose candidacy has been seriously considered by the trustees, to whom he was introduced by Dr. Bancroft of Andover and President Tucker of Dartmouth College.

His coming to us is a matter of more than local interest, not only forwarding the high standard and traditions of this school, but adding to the educational forces of this part of New England a leader finely equipped and of wide acquaintance with men. We anticipate an administration of marked prosperity, and we join with the alumni and all friends of the Academy in giving cordial welcome to Principal Comstock.

The fall term of the Academy will open Tuesday, September 1.

**A Day at Willoughby.**—The nearness of Willoughby Lake and the natural scenery of the place have always made this a favorite resort for St. Johnsbury people and the past week there have been about 25 of our townspeople among the transient visitors there. The lake has lost none of its wildness and the past season there have been a number of deer seen around the shores of the lake and in the surrounding woods. On a fishing tramp Monday morning a party found fresh deer tracks, and in the dense woods there were plenty of hawks, blue jays and thrushes and a good lot of trout in the brooks. Within a few years the Cheney Brothers of Manchester, agents for this state and New Hampshire for the Mutual Life Insurance Co., have bought the Van Arsdale cottage and about 100 acres fronting the south end of the lake and are making improvements on this property. Capt. Averill has built a new steamer this season which the guests have christened "Kewadin." The Corum brothers, who live at the upper end of the lake, have also built a steamer the past winter, and now the lake is well supplied with boats. This is a great place for rare plants and Dr. Kennedy of Milton, proprietor of Kennedy's Botanical Garden, has been making a list of plants in the immediate vicinity of the lake. Mr. Williams, a Boston dealer in oriental goods, is also an enthusiastic botanist and the two gentlemen have searched every nook and cranny for miles around for rare flowers.

The Willoughby Lake House, which has been built for 51 years, is well-filled with guests, many of them being yearly visitors to this delightful place. Mrs. N. R. Richardson is an excellent landlady and possesses all the qualifications of a model hotel keeper. At the upper end of the lake Gilman's Hotel had every room filled over Sunday and the numerous cottages at that end of the lake are all occupied. Many new cottages are being built this year, principally at the upper end of the lake and the popularity of this summer resort is steadily increasing.

These are the guests at the Willoughby Lake House at the present time: Manning Skinner, Mrs. Skinner, New York City; R. P. Boss and wife, Boston; Mrs. Fred P. Corliss, Southampton; Mrs. Jerry Drew, Mrs. Shorey and daughter, Newport; Miss Underwood, Misses Mabel and Minnie Underwood, Boston; E. H. Bagley, White River Junction; Theodore Carleton, Hartford, Conn.; Mrs. Harry Penn, Miss Penn, Miss Hilda Penn, Miss Black, Montclair, N. J.; Miss E. V. Skinner, New York; J. I. Colby and wife, Lancaster; George G. Kennedy, Mrs. Kennedy, Milton, Mass.; A. D. Hodges, San Francisco; Miss A. E. Cobb, Providence, R. I.; Mrs. Thomas B. Draper, Mrs. Draper, Ruth M. Draper, Canton, Mass.; Miss Emilie F. Williams, Boston; Mrs. L. W. Sumner, Misses Helen G. and Sally M. Sumner, Canton, Mass.; Miss M. S. Andrews, New York; Dr. S. M. Hagopian, Aintab, Turkey; Mrs. Laura Brich, L' de Grand Val, Hoboken, N. J.

## THE WAY TRIAL.

**The Evidence Concluded Wednesday.—Brief Summary of the Evidence for the Respondent.—Abstracts of the Lawyers' Pleas.**

In the trial of the State vs. Marshall Way for the murder of his wife the defense began the case Thursday. On Friday morning Marcellus Way took the stand. He lives in Barton and is a twin brother of the respondent. He told of the mother's epilepsy, Marshall's visit to his home in Barton and how melancholy he was over the prospect of having his property divided. He stayed with him a week and passed sleepless nights and was much excited during the daytime. Witness said his grandfather was taken insane while at the legislature at Montpelier.

The defense then introduced about a dozen witnesses who testified to their long acquaintance with the respondent and how they considered him at times out of his head, unnatural, moody and exhibiting various other symptoms of insanity.

Saturday afternoon the expert testimony began. Dr. J. R. Nelson of St. Johnsbury, Dr. Crossman of Lisbon and Dr. J. N. Gibson of McClouds all pronounced the prisoner insane. The state introduced Dr. E. B. Nims, superintendent of the Northampton Lunatic Asylum, and he was kept on the stand a long time and severely cross-examined by Mr. Dunnett. Dr. Nims pronounced the prisoner sane and gave many facts about insanity and the causes leading up to it.

On Monday the state introduced Dr. Charles P. Bancroft, superintendent of the Concord Insane Asylum, and he testified that the respondent was sane, and never contradicted himself during three hours of cross examination conducted by Mr. Bates.

On Tuesday and Wednesday morning the state introduced a large number of witnesses in rebuttal. They were all old acquaintances of Way and they all testified that they had never noticed any symptoms of insanity.

The arguments in the case were begun Wednesday morning. The court room which had been well filled during the trial was crowded to its utmost capacity during the arguments and there were more ladies present than gentlemen. State's Attorney Taylor opened the argument for the state at 10 o'clock and spoke two hours.

## TAYLOR'S PLEA.

States Attorney Taylor reviewed the testimony in a clear and interesting manner. On the question of insanity Mr. Taylor said that the testimony of experts did not show it and that neighbors who had known him for years had noticed no marked change in language, conduct or appearance. If the tragedy had never happened no one would have thought of accusing him of insanity. There is no doubt but that the man is perfectly sane. The conclusion reached that this man has committed the lowest possible crime in the category, and it is to be considered if there is any excuse which will reduce this crime below the first degree. It is natural to look for a motive, because if crime was meditated there must be a motive for it. To look up this motive we go over the testimony concerning the past history of Mr. Way and wife. Evidence shows Way a hard-working, penurious sort of man of strong physique. Mrs. Way was apparently a frail woman and has been through much sickness. Way did not go to church or go to gatherings of the people, but stayed at home and devoted himself to his business. Mrs. Way attended church, liked to have her children go liked to get out among the people. Way insisted that the children should stay at home with him. There were family troubles the first year of their marriage and Way went out once intending to leave. They were evidently never intended to live together. Several incidents related by witnesses tend to show that the real feeling was between the two. On one occasion Way met his wife coming home in a team from a visit and walking along side the carriage shook his fist in her face and swore at her. He was provoked on one occasion because she was sick and said if it wasn't for the law he would blow her — brains out. Again when she was sick he said the only way to get her better was to put her in the water. His favorite terms in speaking to her seem to have been you — black bitch, town pauper, fool. All this showed the real feeling of the man toward his wife. All through these years he had a real feeling of hatred towards her or he would not have used these threats.

About two years ago last fall Mr. Way moved with his family into the village. Here the family troubles took on a more serious shape than before. It is not possible to analyze the feelings of Mrs. Way toward her husband. Evidence shows that she was a chaste woman. There were frequent quarrels between the two and some testify that she usually had the first and last words, but this is not clearly shown. There were frequent outbreaks and a lady who lives across the way once heard Way say that he wished he could spill her heart's blood. The evening after Harley's death he told her to clear out; he had no more use for her; Eddie was old enough to take care of himself and he (Way) could look out for himself. Evidence shows that Way was repeatedly prone to the wife. They doubtless aggravated each other.

It would seem as if the man had the motive for years, held in check by fear of law, but the fear was finally overcome and the deed committed. He afterwards

said he had counted the cost; knew the penalty. He had done it and intended to do it. Some one once advised him to make some kind of a settlement, but he replied that he couldn't settle; she would come back for more; was trying to get all he had and he would die in the poor house. Said that she had started a lawsuit, that Jesus Christ would settle for her.

Circumstances show that Way knew perfectly well what was going on in the house for the few minutes before he committed the deed. When he entered the house and noticed his wife about to leave, he asked in an ordinary tone of voice if she was going for good. He made no objection, for he then knew that she would not be, except that he knew where the club was and what it was there for. He followed her out. The woman in the carriage, noticing what was going to take place, screamed. Mrs. Way turned, threw up her left hand and said: "Don't, Marsh." Way said, "I will. You shall never leave this house alive," and then struck her three blows with the club. Mr. Taylor told what followed, but the story is well known to all and need not be related, except that when Dr. Jones told Way to keep still he replied, "I know my neck will stretch for it." Mr. Taylor closed his plea by saying that the life of the respondent and the welfare of the community were at stake; that the gentlemen of the jury well knew their responsibility and would weigh the facts of the case carefully.

**MR. DUNNETT'S PLEA.**

In opening his argument, which lasted two and one-half hours, Lawyer Dunnett touched upon the trifling feeling that one has when in the presence of one whose mind is disordered. "I did not feel that I wanted to be alone with him," young Mathewson testified. Mr. Dunnett then took up Mrs. Orcutt's testimony; how the respondent had an "entirely pleasant manner," and then within 10 minutes struck the fatal blow.

Was it not the pleasant thoughts and pleasant attitude of a man? He then took up the minister's testimony and called the attention of the jury to the fact that after Way had killed his wife he turned to the parson and said, "Friend, give me a knife." He addressed the minister as a perfect stranger, showing that he did not recognize him. Mr. Dunnett then dwelt upon the fact that the respondent had made no plans for escape, something hitherto unknown in the law of homicide. If an insane impulse takes one forward to destroy human life this impulse to kill carries him along and he has no thought of anything else. The prisoner made no attempt to escape. After the deed was done he sat on the platform as docile and obedient a person as you could imagine. He was entirely in the control of his keepers.

One of the strongest premonitions of insanity is insomnia. The respondent was unable to sleep. Mr. Dunnett elaborated on this point somewhat.

In all the 17 years I have practiced law in this county I haven't heard of a murder, but there have been hundreds of divorces granted in the meantime. Was there a sufficient cause for the murder because he disagreed with his wife? Both Mr. and Mrs. Way were advised by Judge Gleason before the home inquest that nothing had occurred within their 25 years of married life to warrant the court to give either of them a divorce. Judge Gleason further informed them that no arrangement could be arranged for dividing the money except by the appointment of a trustee. What could Mr. Way do to avoid living with a woman that could not live with him? In his cramped intellectual state, he went out of the house and told the men that were working on the road that his wife had started a lawsuit that Jesus Christ would have to settle. If he meant anything sane by those words he meant it to be only an expression of utter hopelessness of the courts and lawyers of the town to settle the case. It was not a threat against his wife's life, as the state would have you believe.

Now look at the visit of Dr. Jones. In the presence of death the respondent asks the doctor for a statement of his account, saying he wants to pay his bill. The state's attorney claims that he was cool and collected at this time. If he had growing upon him the delusion that he was growing poorer and poorer, you have an explanation of this incident which occurred in the presence of death and in the face of impending punishment.

Mr. Gray's testimony tends to show that the respondent's eyes did not look right; his motions were uneasy, and Mr. Gray not only spoke of this to others, but told Way that he would be sick if he did not stop worrying about his family troubles. His daughter testified that her father had told them they would all become paupers.

This jury knows enough to know that an insane man knows the difference between good and bad treatment; that an insane man shows joy and sorrow by laughter and crying. They eat, they drink, they work, they sleep. They do what a sane man does only they are deranged. The insane man is out of range; he is out of line. Every man has a line of action and a line of thought. When there is a marked deviation from this line the man is deranged. Then as soon as this fact is well established and taken care of by the officers of the state.